

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN RE OUTPATIENT MEDICAL  
CENTER EMPLOYEE ANTITRUST  
LITIGATION

Civil Action No. 1:21-cv-00305

**Honorable Andrea R. Wood  
Honorable Sunil R. Harjani**

**DEFENDANTS' MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM AND  
LACK OF STANDING**

Surgical Care Affiliates, LLC (“SCA”), SCAI Holdings, LLC (“SCAI Holdings”), UnitedHealth Group Incorporated (“United”), DaVita, Inc. (“DaVita”), and Kent Thiry (collectively “Defendants”) hereby move the Court, pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(b)(1), for the entry of an order dismissing with prejudice Plaintiffs’ Consolidated Amended Class Action Complaint for failure to state a claim upon which relief may be granted and for lack of standing. The grounds in support of this Motion are set forth in Defendants’ Memorandum in Support of Defendants’ Motion to Dismiss for Failure to State a Claim and Lack of Standing and accompanying exhibits.

Dated: October 18, 2021

Respectfully submitted,

*/s/ Daniel E. Laytin*

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 18, 2021, a true and correct copy of the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

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